

REMARKS

In the Office Action the Examiner withdrew claims 24-31 from consideration. Further, the Examiner objected to the drawings under 37 CFR § 1.83(a). Regarding the non-withdrawn claims, the Examiner rejected claims 1, 5, and 8-12 for being anticipated by O'Neill et al. (U.S. Pat. No. 5,395,331) and indicated that claims 2-4, 6-7 and 13 would be allowable if rewritten in independent form. Applicant gratefully acknowledges that the Examiner has indicated that the application includes allowable subject matter.

In response to the Office Action, Applicant has canceled withdrawn claims 24-31. Also, Applicant has amended independent claims 1 and 11, and has added claims 32-39. Specifically, claims 1 and 11 have been amended to require that the system include a cutting initiator formed on each said protuberance for penetrating into the lesion. Support for this amendment is found on page 8 at lines 17-20 and in Figure 5. New independent claim 32 includes all of the limitations of claim 2, which was indicated as being allowable. Likewise, new independent claim 36 includes all of the limitations of claim 6, which was indicated as being allowable. Dependent claims 33-35 and 37-39 add further requirements to independent claims 32 and 36. Support for these amendments is found from page 8 at line 3 to page 9 at line 2.

Claims 1 and 11 have been amended, and claims 32-39 have been added, to improve the readability of the claims to more clearly define the structure and to point out the features that distinguish this invention over the cited art. Claims 1-13 and 32-39 are pending.

Election/Restrictions

Claims 24-31 were withdrawn from consideration as being directed to a non-elected invention. In response, Applicant has canceled claims 24-31.

Objection to the Drawings

The drawings have been objected to under 37 CFR § 1.83(a). Specifically, the Examiner has asserted that “the first flexible enclosure and the second flexible enclosure together with the flexible member forming an inflatable balloon as in claim 2” are not shown in the drawings. In response, Applicant notes that Fig. 2 shows that the inflatable balloon 14 is formed by a distal enclosure 20, a proximal enclosure 22, and a flexible member 24. The related specification text is found from page 6, line 24 to page 7, line 5. In view of this disclosure, Applicant believes that the drawings show every feature of the invention specified in the claims and requests that the objection to the drawings be withdrawn.

Rejections Under 35 U.S.C. § 102

Claims 1, 5, and 8-12 were rejected for being anticipated by O'Neill et al. (U.S. Pat. No. 5,395,331). Independent claims 1 and 11, however, have now been amended to require that the system include a cutting initiator formed on each protuberance for penetrating into the lesion. Unlike the present invention, O'Neill et al. do not disclose or suggest that their ribs or lands for frictionally engaging the coronary sinus include

cutting initiators for penetrating into the lesion.


For the reasons set forth above, Applicant believes the basis for rejecting claims 1, 5 and 8-12 for being anticipated by O'Neill et al. has been overcome and should be withdrawn.

As stated above, new claims 32 and 36 include all of the limitations of claims 2 and 6 which were previously indicated as being allowable. Therefore, new claims 32-39 are patentable over the cited reference.

In conclusion, Applicant respectfully asserts that claims 1-13 and 32-39 are patentable for the reasons set forth above, and that the application is now in a condition for allowance. Accordingly, an early notice of allowance is respectfully requested. The Examiner is requested to call the undersigned at 619-688-1300 for any reason that would advance the instant application to issue.

Dated this 11th day of July, 2005.

Respectfully submitted,


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